

REMARKS

This application has been carefully reviewed in view of the above Office Action. Applicant's response is as follows:

Regarding claim 1: Claim 1 is repeated below for reference:

1. *A method of providing user options in operation of a video system, comprising:
displaying an image on a display screen, the image being associated with a current one of a plurality of operational contexts;
detecting actuation of a pop-up option palette control; and
upon detecting actuation of the pop-up option palette control, overlaying the image on the display screen with a pop-up option palette displaying a plurality of selectable user options, the options having functions associated with the current operational context.*

(Emphasis added)

Claim 1, and indeed all claims present in the current application, refer to an "operational context". At least eight such example operational contexts are shown and described in the specification, namely: Home, EPG, Email, Events, Movie, Online, Settings & Tips, and Favorites. Such operational contexts have associated options that can be presented in an associated option palette, which are in the example presented, as follows:

OPERATIONAL CONTEXT	ASSOCIATED POP-UP OPTION PALETTE
Home	TV Options
EPG	TV Options
Email	TV Options
Events	Event Options
Movie	Movie Options
Online	Online Options
Settings & Tips	Settings & Tips Options
Favorites	Favorites Options

In operation, the user can invoke the pop-up option palette associated with the operational context by, for example, pressing a single button on the remote control. This "pop-up option" control or button invokes the pop up option associated with the operational context, for example, per the above table.

By contrast, the Schein et al. reference ("Schein") operates in a totally different manner. The Office Action cites Fig. 21A as an example of the operational context of a program guide, and this appears to be a reasonable assessment. The Office Action then indicates that the claim reads upon "presenting further item/service selections 1-7 as shown in Figure 21B". However, this is an incorrect reading of the claim. This operation of Schein is described in the paragraph spanning columns 23 and 24 which states in part "... As shown in FIG. 21A, the viewer selects a particular program within guide 502, to access that program's info menu. ..." (Emphasis added) Thus, to reach Fig. 21B, the user simply navigates there by selecting a program from the program guide, and the user then sees information about the program (not the operational context).

From this, the following is clear:

1. The user does not navigate from Fig. 21A to Fig. 21B "*upon detecting actuation of the pop-up option palette control*" as called for by the claim. Instead, the user gets to Fig. 21B by selecting a program from the program guide.
2. The operational context at Fig. 21A might be "program guide", but, the additional information provided at Fig. 21B is not related to the "operational context" but rather, it is related to the viewer selecting a particular program.
3. The options presented in Fig. 21B are not related to the operational context, but instead are related to the particular program selected.
4. It is not clear that the display of Fig. 21B is accomplished as an "overlay" as described and claimed.

Thus, it can be seen that the Schein reference falls far short of anticipating claim 1. Reconsideration and allowance is respectfully requested.

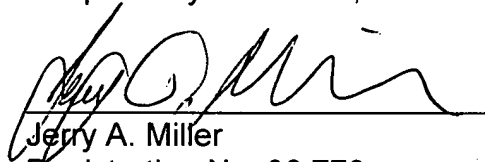
Regarding the remaining claims 2-30, it is noted that they each contain essentially identical features as were just discussed, and each of the rejections given is predicated on the Schein reference applied in the same manner as applied to claim 1. In view of this

defect in Schein, it is believed clear that none of the remaining rejections are viable. Accordingly, reconsideration and allowance of all claims is respectfully requested at an early date.

The undersigned additionally notes that many other distinctions exist between the cited references and the invention as claimed. However, in view of the clear deficiencies in the art as pointed out above, further discussion of these deficiencies is believed to be unnecessary at this time; failure to address each point raised in the Office Action should accordingly not be viewed as accession to the Examiner's position.

In view of this communication, all claims are now believed to be in condition for allowance and such is respectfully requested at an early date. However, if the Examiner notes other matters that should be resolved prior to passing this case to issue, an interview is respectfully requested. The undersigned can be reached to arrange such an interview at the phone number below.

Respectfully submitted,


Jerry A. Miller
Registration No. 30,779

Dated: 7/30/04

Please Send Correspondence to:
Jerry A. Miller
Miller Patent Services
2500 Dockery Lane
Raleigh, NC 27606
Phone: (919) 816-9981
Fax: (919) 816-9982
Customer Number 24337